

By:

*Francis*

S.B. No. 346

A BILL TO BE ENTITLED

AN ACT

relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth. *and to the powers of the Board of Regents of the University of North Texas*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 105.71, Education Code, is amended to read as follows:

Sec. 105.71. ESTABLISHMENT OF UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH [~~COLLEGE--OF--OSTEOPATHIC MEDICINE~~]. (a) There is hereby created a health science center [~~college-of-osteopathic-medicine~~] in the city of Fort Worth to be known as the University of North Texas Health Science Center at Fort Worth [~~Texas-College-of-Osteopathic-Medicine~~], which consists of a college of osteopathic medicine, and which is a separate institution and not a department, school, or branch of the University of North Texas, but under the direction, management, and control of the Board of Regents of the University of North Texas.

(b) The board shall have the same powers of direction, management, and control over the health science center [~~college-of-osteopathic-medicine~~] that it exercises over the University of North Texas, but the board shall act separately and independently on all matters affecting the health science center [~~college--of-osteopathic-medicine~~] as a separate institution.

3-31-93  
4-19-93  
5-22-93

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1        (c) The board, with the approval of the Texas Higher  
2        Education Coordinating Board, may prescribe courses at the health  
3        science center leading to customary degrees, diplomas, or  
4        certificates, but may not include an M.D. degree.

5        SECTION 2. The heading to Subchapter E, Chapter 105,  
6        Education Code, is amended to read as follows:

7                SUBCHAPTER E. UNIVERSITY OF NORTH TEXAS HEALTH

8                SCIENCE CENTER AT FORT WORTH [~~TEXAS-COLLEGE-OF~~

9                                ~~OSTEOPATHIC-MEDICINE~~]

10        SECTION 3. Section 105.74, Education Code, is amended to  
11        read as follows:

12        Sec. 105.74. CHIEF EXECUTIVE OFFICERS. The board of regents  
13        of the University of North Texas may appoint a chancellor who shall  
14        serve as chief executive officer of the University of North Texas  
15        and the University of North Texas Health Science Center at Fort  
16        Worth [~~Texas--College--of--Osteopathic--Medicine~~]. The board of  
17        regents shall appoint a president of the University of North Texas  
18        and a president of the University of North Texas Health Science  
19        Center at Fort Worth [~~Texas-College-of--Osteopathic--Medicine~~] who  
20        shall serve as chief operating officers of each institution,  
21        respectively. The president of the University of North Texas  
22        Health Science Center at Fort Worth [~~Texas-College-of-Osteopathic~~  
23        ~~Medicine~~] shall be a licensed physician who possesses a doctor of  
24        osteopathy degree from an accredited college of osteopathic  
25        medicine [~~school~~] and licensed to practice medicine in some state <sup>2</sup>

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1 of the United States for a minimum of five years.

2 SECTION 4. Section 105.76, Education Code, is amended to  
3 read as follows:

4 Sec. 105.76. JOINT APPOINTMENTS. The board of regents is  
5 specifically authorized to make joint appointments in the  
6 university and the health science center [~~Texas--College--of~~  
7 ~~Osteopathic--Medicine~~] under its governance; the salary of any such  
8 person who receives such joint appointment to be apportioned to the  
9 appointing institution on the basis of services rendered.

10 SECTION 5. Subsection (b), Section 54.502, Education Code,  
11 is amended to read as follows:

12 (b) The medical, dental, and allied health units of The  
13 University of Texas System, the University of North Texas Health  
14 Science Center at Fort Worth [~~Texas--College--of--Osteopathic~~  
15 ~~Medicine~~], the Texas Tech University Health Sciences Center, and  
16 The Texas A&M University College of Medicine may collect a breakage  
17 or loss deposit no greater than \$30.

18 SECTION 6. Subsection (a), Section 58.001, Education Code,  
19 is amended to read as follows:

20 (a) The legislature finds that it will improve the quality  
21 of the delivery of medical care to the citizens of this state and,  
22 therefore, that it will be in the public interest of this state for  
23 the resident physicians being educated, trained, developed, and  
24 prepared for a career in medicine by the schools of medicine in The  
25 University of Texas System, the Texas Tech University Health<sup>3</sup>/<sub>4</sub>

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1 Sciences Center, the Texas A&M University Medical Program, and the  
2 University of North Texas Health Science Center at Fort Worth  
3 [Texas-College-of-Osteopathic-Medicine] to be compensated by those  
4 schools while the resident physicians are undergoing education,  
5 training, development, and preparation. The legislature further  
6 finds that the delivery of quality medical care to the citizens of  
7 this state has been and will continue to be enhanced by the  
8 expansion of family practice residency programs as provided by  
9 Sections 61.501 through 61.505 of this code and intends that  
10 nothing in this chapter be interpreted or implemented in a manner  
11 that will deter the development or expansion of family practice  
12 residency programs or will deter the legislative goal of having at  
13 least 25 percent of the first-year residency positions devoted to  
14 family medicine.

15 SECTION 7. Subdivision (1), Section 59.01, Education Code,  
16 is amended to read as follows:

17 (1) "Medical staff or students" means medical doctors,  
18 doctors of osteopathy, dentists, veterinarians, and podiatrists  
19 appointed to the faculty or professional medical staff employed for  
20 student health services by The University of Texas System, The  
21 Texas A&M University System, the Texas Tech University Health  
22 Sciences Center [~~School--of-Medicine~~], or the University of North  
23 Texas Health Science Center at Fort Worth [~~Texas--College--of~~  
24 ~~Osteopathic--Medicine~~], either full time or who, although appointed  
25 less than full time (including volunteers), either devote their

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1 total professional service to such appointment or provide services  
2 to patients by assignment from the department chairman; and  
3 interns, residents, fellows, and medical or dental students,  
4 veterinary students, and students of osteopathy participating in a  
5 patient-care program in The University of Texas System, The Texas  
6 A&M University System, the Texas Tech University Health Sciences  
7 Center [~~School--of--Medicine~~], or the University of North Texas  
8 Health Science Center at Fort Worth [~~Texas-College--of--Osteopathic~~  
9 ~~Medicine~~].

10 SECTION 8. Subsections (a) and (c), Section 59.02, Education  
11 Code, are amended to read as follows:

12 (a) Each board may establish a separate self-insurance fund  
13 to pay any damages adjudged in a court of competent jurisdiction or  
14 a settlement of any medical malpractice claim against a member of  
15 the medical staff or students arising from the exercise of his  
16 appointment, duties, or training with The University of Texas  
17 System, The Texas A&M University System, the Texas Tech University  
18 Health Sciences Center [~~School-of-Medicine~~], or the University of  
19 North Texas Health Science Center at Fort Worth [~~Texas-College-of~~  
20 ~~Osteopathic-Medicine~~].

21 (c) On the establishment of each fund, transfers to the fund  
22 shall be made in an amount and at such intervals as determined by  
23 the board. Each board may receive and accept any gifts or  
24 donations specified for the purposes of this subchapter and deposit  
25 those gifts or donations into the fund. Each board may invest

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1 money deposited in the fund, and any income received shall be  
2 retained in the fund. The money shall be deposited in any of the  
3 approved depository banks of The University of Texas System, The  
4 Texas A&M University System, the Texas Tech University Health  
5 Sciences Center [~~School--of-Medicine~~], or the University of North  
6 Texas Health Science Center at Fort Worth [~~Texas--College--of~~  
7 ~~Osteopathic--Medicine~~]. All expenditures from the funds shall be  
8 paid pursuant to approval by the boards.

9 SECTION 9. Section 59.06, Education Code, is amended to read  
10 as follows:

11 Sec. 59.06. LIMITATION ON APPROPRIATED FUNDS. Funds  
12 appropriated by the legislature to either system, to the Texas Tech  
13 University Health Sciences Center [~~School--of-Medicine~~], or to the  
14 University of North Texas Health Science Center at Fort Worth  
15 [~~Texas--College--of--Osteopathic--Medicine~~] from the General Revenue  
16 Fund may not be used to establish or maintain the fund, to purchase  
17 insurance, or to employ private legal counsel.

18 SECTION 10. Subdivision (1), Section 61.501, Education Code,  
19 is amended to read as follows:

20 (1) "Medical school" means the medical school at The  
21 University of Texas Health Science Center at Houston, the medical  
22 school at The University of Texas Health Science Center at Dallas,  
23 the medical school at The University of Texas Health Science Center  
24 at San Antonio, The University of Texas Medical Branch at  
25 Galveston, the Texas Tech University Health Sciences Center [~~School~~]

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1 of--Medicine], the Baylor College of Medicine, the college of  
2 osteopathic medicine at the University of North Texas Health  
3 Science Center at Fort Worth [~~Texas--College--of--Osteopathic~~  
4 ~~Medicine~~], or the Texas A&M University Medical Program.

5 SECTION 11. Subsection (a), Section 62.021, Education Code,  
6 is amended to read as follows:

7 (a) Each fiscal year, an eligible institution is entitled to  
8 receive an amount allocated in accordance with this section from  
9 funds appropriated by Article VII, Section 17(a), of the  
10 Constitution of Texas. The comptroller of public accounts shall  
11 distribute funds allocated under this subsection only on  
12 presentation of a claim and issuance of a warrant in accordance  
13 with Section 403.071, Government Code. The comptroller may not  
14 issue a warrant from any funds allocated under this subsection  
15 before the delivery of goods or services described in Section 17,  
16 Article VII, Texas Constitution, except for the payment of  
17 principal or interest on bonds or notes. The allocation of funds  
18 under this subsection is made in accordance with an equitable  
19 formula consisting of the following elements: space deficit,  
20 facilities condition, institutional complexity, separate allocation  
21 for medical units, and additional allocation for compliance with  
22 the Texas Desegregation Plan. The amounts allocated by such  
23 formula are as follows:

24 \$ 2,971,685

East Texas State University including

25 East Texas State University at /

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1		Texarkana;
2	\$ 7,125,680	Lamar University including Lamar
3		University at Orange and Lamar
4		University at Port Arthur;
5	\$ 1,645,885	Midwestern State University;
6	\$11,444,067	University of North Texas;
7	\$ 3,196,287	Pan American University and The
8		University of Texas at Brownsville;
9	\$ 5,152,124	Stephen F. Austin State University;
10	\$ 2,166,667	<u>University of North Texas Health</u>
11		<u>Science Center at Fort Worth</u>
12		[Texas-College-of-Osteopathic
13		Medicine];
14	\$19,724,411	Texas State University System
15		Administration and the following
16		component institutions:
17		Angelo State University;
18		Sam Houston State University;
19		Southwest Texas State University;
20		Sul Ross State University including
21		Uvalde Study Center;
22	\$ 6,596,436	Texas Southern University (includes
23		allocation of \$2,700,000 for
24		compliance with Texas Desegregation
25		Plan); <sup>8</sup> / <sub>2</sub>



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1	\$10,538,296	Texas Tech University;
2	\$ 4,333,333	Texas Tech University Health Sciences
3		Center;
4	\$ 3,583,869	Texas Woman's University;
5	\$15,799,996	University of Houston System
6		Administration and the following
7		component institutions:
8		University of Houston;
9		University of Houston--Victoria;
10		University of Houston--Clear Lake;
11		University of Houston--Downtown;
12	\$ 3,636,316	University System of South Texas
13		System Administration and the
14		following component institutions:
15		Corpus Christi State University;
16		Laredo State University;
17		Texas A&I University; and
18	\$ 2,084,948	West Texas State University.

19           SECTION 12. Paragraph (A), Subdivision (5), Section 2,  
20 Chapter 421, Acts of the 63rd Legislature, Regular Session, 1973  
21 (Article 6252-9b, Vernon's Texas Civil Statutes), is amended to  
22 read as follows:

23           ~~(5)~~(A) "Appointed officer of a major state agency"  
24 means any of the following:

25                           (i) a member of the Public Utility Commission of

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1 Texas;  
2 (ii) a member of the Texas Department of  
3 Commerce;  
4 (iii) a member of the Texas Board of Aviation;  
5 (iv) a member of the Texas Air Control Board;  
6 (v) a member of the Texas Alcoholic Beverage  
7 Commission;  
8 (vi) a member of the Finance Commission of  
9 Texas;  
10 (vii) a member of the State Purchasing and  
11 General Services Commission;  
12 (viii) a member of the Texas Board of Criminal  
13 Justice;  
14 (ix) a member of the Board of Trustees of the  
15 Employees Retirement System of Texas;  
16 (x) a member of the State Highway and Public  
17 Transportation Commission;  
18 (xi) a member of the Texas Workers' Compensation  
19 Commission;  
20 (xii) a member of the State Board of Insurance;  
21 (xiii) a member of the Parks and Wildlife  
22 Commission;  
23 (xiv) a member of the Public Safety Commission;  
24 (xv) the Secretary of State;  
25 (xvi) a member of the State Securities Board;

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1 (xvii) a member of the Texas Amusement Machine  
2 Commission;  
3 (xviii) a member of the Texas Water Development  
4 Board;  
5 (xix) a member of the Texas Water Commission;  
6 (xx) a member of the governing board of a state  
7 senior college or university as defined by Section 61.003,  
8 Education Code, including The University of Texas at Arlington; The  
9 University of Texas at Austin; The University of Texas at Dallas;  
10 The University of Texas at El Paso; The University of Texas--Pan  
11 American; The University of Texas--Pan American--Brownsville; ~~The~~  
12 University of Texas of the Permian Basin; The University of Texas  
13 at San Antonio; The University of Texas at Tyler; The University of  
14 Texas Southwestern Medical Center at Dallas; The University of  
15 Texas Medical Branch at Galveston; The University of Texas Health  
16 Science Center at Houston; The University of Texas Health Science  
17 Center at San Antonio; The University of Texas System Cancer  
18 Center; The University of Texas Health Science Center at Tyler;  
19 Texas A&M University; Texas A&M University at Galveston; Prairie  
20 View A&M University; Tarleton State University; Corpus Christi  
21 State University; Texas A&I University; Laredo State University;  
22 East Texas State University; East Texas State University at  
23 Texarkana; University of Houston; University of Houston--Clear  
24 Lake; University of Houston--Downtown; University of  
25 Houston--Victoria; Lamar University at Beaumont; Lamar University

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1 at Orange; Lamar University at Port Arthur; Midwestern State  
2 University; University of North Texas; University of North Texas  
3 Health Science Center at Fort Worth [~~Texas-College-of-Osteopathic~~  
4 ~~Medicine~~]; Stephen F. Austin State University; Texas Southern  
5 University; Texas Tech University; Texas Tech University Health  
6 Sciences Center; Texas Woman's University; West Texas State  
7 University; Angelo State University; Sam Houston State University;  
8 Southwest Texas State University; Sul Ross State University; Sul  
9 Ross State University--Uvalde Center; Texas State Technical  
10 Institute--Amarillo; Texas State Technical Institute--Harlingen;  
11 Texas State Technical Institute--Sweetwater; and Texas State  
12 Technical Institute--Waco;

13 (xxi) a member of the Texas Higher Education  
14 Coordinating Board;

15 (xxii) a member of the Texas Employment  
16 Commission;

17 (xxiii) a member of the State Banking Board;

18 (xxiv) a member of the board of trustees<sup>12</sup> of the  
19 <sup>Teacher</sup>  
~~Teachers~~ Retirement System of Texas;

20 (xxv) a member of the Credit Union Commission;

21 (xxvi) a member of the School Land Board;

22 (xxvii) a member of the board of the Texas  
23 Department of Housing and Community Affairs;

24 (xxviii) a member of the Texas Racing  
25 Commission;

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- 1 (xxix) a member of the State Board of Dental  
2 Examiners;
- 3 (xxx) a member of the Texas Board of Licensure  
4 for Nursing Home Administrators;
- 5 (xxxix) a member of the Texas State Board of  
6 Medical Examiners;
- 7 (xxxii) a member of the Board of Pardons and  
8 Paroles;
- 9 (xxxiii) a member of the Texas State Board of  
10 Pharmacy;
- 11 (xxxiv) the Banking Commissioner of the Banking  
12 Department of Texas;
- 13 (xxxv) a member of the Department of Information  
14 Resources Governing Board;
- 15 (xxxvi) the fire fighters' pension commissioner;
- 16 (xxxvii) a member of the Texas Motor Vehicle  
17 Commission;
- 18 (xxxviii) the director of the Office of Court  
19 Administration of the Texas Judicial System;
- 20 (xxxix) the chief executive of the Office of  
21 Public Utility Counsel;
- 22 (xl) a member of the Texas Real Estate  
23 Commission;
- 24 (xli) a member of the board of directors and the  
25 executive director of the State Bar of Texas;

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- 1                   (xlii) a member of the Bond Review Board;
- 2                   (xliii) a member of the Texas Board of Health;
- 3                   (xliv) a member of the Texas Board of Mental
- 4 Health and Mental Retardation;
- 5                   (xlv) a member of the Texas Board on Aging;
- 6                   (xlvi) a member of the Texas Board of Human
- 7 Services;
- 8                   (xlvii) a member of the Texas Funeral Service
- 9 Commission;
- 10                   (xlviii) a member of the board of directors of a
- 11 river authority created under the constitution or laws of this
- 12 state;
- 13                   (xlix) the director of the lottery division in
- 14 the office of the comptroller; or <sup>15</sup> /
- 15                   (1) the deputy in charge of the department of
- 16 security in the lottery division in the office of the comptroller.

17           SECTION 13. (a) The name of the Texas College of

18 Osteopathic Medicine is changed to the University of North Texas

19 Health Science Center at Fort Worth. A reference in law to the

20 Texas College of Osteopathic Medicine means the University of North

21 Texas Health Science Center at Fort Worth.

22           (b) An appropriation for the use and benefit of the Texas

23 College of Osteopathic Medicine is available for the use and

24 benefit of the University of North Texas Health Science Center at

25 Fort Worth.

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1           SECTION 14. The importance of this legislation and the  
2 crowded condition of the calendars in both houses create an  
3 emergency and an imperative public necessity that the  
4 constitutional rule requiring bills to be read on three several  
5 days in each house be suspended, and this rule is hereby suspended,  
6 and that this Act take effect and be in force from and after its  
7 passage, and it is so enacted.

By: Moncrief S.B. No. 346  
(In the Senate - Filed February 12, 1993; February 15, 1993,  
read first time and referred to Committee on Education;  
March 31, 1993, reported favorably, as amended, by the following  
vote: Yeas 9, Nays 0; March 31, 1993, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Ratliff	x			
Haley	x			
Barrientos	x			
Bivins	x			
Harris of Tarrant	x			
Luna	x			
Montford				x
Shapiro	x			
Sibley	x			
Turner	x			
Zaffirini			x	

COMMITTEE AMENDMENT NO. 1

By: Bivins

Amend S.B. 346 as follows:

On page , line , following the word "certificates" add ", but  
may not include an M.D. degree."

A BILL TO BE ENTITLED  
AN ACT

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~~MEDICINE~~]. (a) There is hereby created a health science center  
[~~college--of--osteopathic-medicine~~] in the city of Fort Worth to be  
known as the University of North Texas Health Science Center at  
Fort Worth [~~Texas-College-of-Osteopathic-Medicine~~], which consists  
of a college of osteopathic medicine, and which is a separate  
institution and not a department, school, or branch of the  
University of North Texas, but under the direction, management, and  
control of the Board of Regents of the University of North Texas.

(b) The board shall have the same powers of direction,  
management, and control over the health science center [~~college--of~~  
~~osteopathic--medicine~~] that it exercises over the University of  
North Texas, but the board shall act separately and independently  
on all matters affecting the health science center [~~college-of~~  
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SECTION 2. The heading to Subchapter E, Chapter 105,  
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SECTION 3. Section 105.74, Education Code, is amended to  
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of the University of North Texas may appoint a chancellor who shall  
serve as chief executive officer of the University of North Texas  
and the University of North Texas Health Science Center at Fort  
Worth [~~Texas--College--of--Osteopathic--Medicine~~]. The board of  
regents shall appoint a president of the University of North Texas



and a president of the University of North Texas Health Science Center at Fort Worth [~~Texas-College-of-Osteopathic-Medicine~~] who shall serve as chief operating officers of each institution, respectively. The president of the University of North Texas Health Science Center at Fort Worth [~~Texas-College--of--Osteopathic Medicine~~] shall be a licensed physician who possesses a doctor of osteopathy degree from an accredited college of osteopathic medicine [~~school~~] and licensed to practice medicine in some state of the United States for a minimum of five years.

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(b) The medical, dental, and allied health units of The University of Texas System, the University of North Texas Health Science Center at Fort Worth [~~Texas--College--of--Osteopathic Medicine~~], the Texas Tech University Health Sciences Center, and The Texas A&M University College of Medicine may collect a breakage or loss deposit no greater than \$30.

SECTION 6. Subsection (a), Section 58.001, Education Code, is amended to read as follows:

(a) The legislature finds that it will improve the quality of the delivery of medical care to the citizens of this state and, therefore, that it will be in the public interest of this state for the resident physicians being educated, trained, developed, and prepared for a career in medicine by the schools of medicine in The University of Texas System, the Texas Tech University Health Sciences Center, the Texas A&M University Medical Program, and the University of North Texas Health Science Center at Fort Worth [~~Texas--College-of-Osteopathic-Medicine~~] to be compensated by those schools while the resident physicians are undergoing education, training, development, and preparation. The legislature further finds that the delivery of quality medical care to the citizens of this state has been and will continue to be enhanced by the expansion of family practice residency programs as provided by Sections 61.501 through 61.505 of this code and intends that nothing in this chapter be interpreted or implemented in a manner that will deter the development or expansion of family practice residency programs or will deter the legislative goal of having at least 25 percent of the first-year residency positions devoted to family medicine.

SECTION 7. Subdivision (1), Section 59.01, Education Code, is amended to read as follows:

(1) "Medical staff or students" means medical doctors, doctors of osteopathy, dentists, veterinarians, and podiatrists appointed to the faculty or professional medical staff employed for student health services by The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or the University of North Texas Health Science Center at Fort Worth [~~Texas--College-of-Osteopathic-Medicine~~], either full time or who, although appointed less than full time (including volunteers), either devote their total professional service to such appointment or provide services to patients by assignment from the department chairman; and interns, residents, fellows, and medical or dental students, veterinary students, and students of osteopathy participating in a patient-care program in The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or the University of North Texas Health Science Center at Fort Worth [~~Texas-College-of-Osteopathic Medicine~~].

SECTION 8. Subsections (a) and (c), Section 59.02, Education Code, are amended to read as follows:

(a) Each board may establish a separate self-insurance fund

to pay any damages adjudged in a court of competent jurisdiction or a settlement of any medical malpractice claim against a member of the medical staff or students arising from the exercise of his appointment, duties, or training with The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [School-of-Medicine], or the University of North Texas Health Science Center at Fort Worth [Texas--College--of Osteopathic-Medicine].

(c) On the establishment of each fund, transfers to the fund shall be made in an amount and at such intervals as determined by the board. Each board may receive and accept any gifts or donations specified for the purposes of this subchapter and deposit those gifts or donations into the fund. Each board may invest money deposited in the fund, and any income received shall be retained in the fund. The money shall be deposited in any of the approved depository banks of The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [School-of-Medicine], or the University of North Texas Health Science Center at Fort Worth [Texas--College--of Osteopathic-Medicine]. All expenditures from the funds shall be paid pursuant to approval by the boards.

SECTION 9. Section 59.06, Education Code, is amended to read as follows:

Sec. 59.06. LIMITATION ON APPROPRIATED FUNDS. Funds appropriated by the legislature to either system, to the Texas Tech University Health Sciences Center [School-of-Medicine], or to the University of North Texas Health Science Center at Fort Worth [Texas--College--of--Osteopathic-Medicine] from the General Revenue Fund may not be used to establish or maintain the fund, to purchase insurance, or to employ private legal counsel.

SECTION 10. Subdivision (1), Section 61.501, Education Code, is amended to read as follows:

(1) "Medical school" means the medical school at The University of Texas Health Science Center at Houston, the medical school at The University of Texas Health Science Center at Dallas, the medical school at The University of Texas Health Science Center at San Antonio, The University of Texas Medical Branch at Galveston, the Texas Tech University Health Sciences Center [School-of-Medicine], the Baylor College of Medicine, the college of osteopathic medicine at the University of North Texas Health Science Center at Fort Worth [Texas--College--of--Osteopathic-Medicine], or the Texas A&M University Medical Program.

SECTION 11. Subsection (a), Section 62.021, Education Code, is amended to read as follows:

(a) Each fiscal year, an eligible institution is entitled to receive an amount allocated in accordance with this section from funds appropriated by Article VII, Section 17(a), of the Constitution of Texas. The comptroller of public accounts shall distribute funds allocated under this subsection only on presentation of a claim and issuance of a warrant in accordance with Section 403.071, Government Code. The comptroller may not issue a warrant from any funds allocated under this subsection before the delivery of goods or services described in Section 17, Article VII, Texas Constitution, except for the payment of principal or interest on bonds or notes. The allocation of funds under this subsection is made in accordance with an equitable formula consisting of the following elements: space deficit, facilities condition, institutional complexity, separate allocation for medical units, and additional allocation for compliance with the Texas Desegregation Plan. The amounts allocated by such formula are as follows:

\$ 2,971,685	East Texas State University including East Texas State University at Texarkana;
\$ 7,125,680	Lamar University including Lamar University at Orange and Lamar University at Port Arthur;
\$ 1,645,885	Midwestern State University;
\$11,444,067	University of North Texas;
\$ 3,196,287	Pan American University and The

1		University of Texas at Brownsville;
2	\$ 5,152,124	Stephen F. Austin State University;
3	\$ 2,166,667	<u>University of North Texas Health</u>
4		<u>Science Center at Fort Worth</u>
5		<u>[Texas-College-of-Osteopathic</u>
6		<u>Medicine]</u> ;
7	\$19,724,411	Texas State University System
8		Administration and the following
9		component institutions:
10		Angelo State University;
11		Sam Houston State University;
12		Southwest Texas State University;
13		Sul Ross State University including
14		Uvalde Study Center;
15	\$ 6,596,436	Texas Southern University (includes
16		allocation of \$2,700,000 for
17		compliance with Texas Desegregation
18		Plan);
19	\$10,538,296	Texas Tech University;
20	\$ 4,333,333	Texas Tech University Health Sciences
21		Center;
22	\$ 3,583,869	Texas Woman's University;
23	\$15,799,996	University of Houston System
24		Administration and the following
25		component institutions:
26		University of Houston;
27		University of Houston--Victoria;
28		University of Houston--Clear Lake;
29		University of Houston--Downtown;
30	\$ 3,636,316	University System of South Texas
31		System Administration and the
32		following component institutions:
33		Corpus Christi State University;
34		Laredo State University;
35		Texas A&I University; and
36	\$ 2,084,948	West Texas State University.

SECTION 12. Paragraph (A), Subdivision (5), Section 2, Chapter 421, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9b, Vernon's Texas Civil Statutes), is amended to read as follows:

(A) "Appointed officer of a major state agency" means any of the following:

- (i) a member of the Public Utility Commission of Texas;
- (ii) a member of the Texas Department of Commerce;
- (iii) a member of the Texas Board of Aviation;
- (iv) a member of the Texas Air Control Board;
- (v) a member of the Texas Alcoholic Beverage Commission;
- (vi) a member of the Finance Commission of Texas;
- (vii) a member of the State Purchasing and General Services Commission;
- (viii) a member of the Texas Board of Criminal Justice;
- (ix) a member of the Board of Trustees of the Employees Retirement System of Texas;
- (x) a member of the State Highway and Public Transportation Commission;
- (xi) a member of the Texas Workers' Compensation Commission;
- (xii) a member of the State Board of Insurance;
- (xiii) a member of the Parks and Wildlife Commission;
- (xiv) a member of the Public Safety Commission;

(xv) the Secretary of State;  
 (xvi) a member of the State Securities  
 Board;  
 (xvii) a member of the Texas Amusement  
 Machine Commission;  
 (xviii) a member of the Texas Water  
 Development Board;  
 (xix) a member of the Texas Water  
 Commission;  
 (xx) a member of the governing board of a  
 state senior college or university as defined by Section 61.003,  
 Education Code, including The University of Texas at Arlington; The  
 University of Texas at Austin; The University of Texas at Dallas;  
 The University of Texas at El Paso; The University of Texas--Pan  
 American; The University of Texas--Pan American--Brownsville; The  
 University of Texas of the Permian Basin; The University of Texas  
 at San Antonio; The University of Texas at Tyler; The University of  
 Texas Southwestern Medical Center at Dallas; The University of  
 Texas Medical Branch at Galveston; The University of Texas Health  
 Science Center at Houston; The University of Texas Health Science  
 Center at San Antonio; The University of Texas System Cancer  
 Center; The University of Texas Health Science Center at Tyler;  
 Texas A&M University; Texas A&M University at Galveston; Prairie  
 View A&M University; Tarleton State University; Corpus Christi  
 State University; Texas A&I University; Laredo State University;  
 East Texas State University; East Texas State University at  
 Texarkana; University of Houston; University of Houston--Clear  
 Lake; University of Houston--Downtown; University of  
 Houston--Victoria; Lamar University at Beaumont; Lamar University  
 at Orange; Lamar University at Port Arthur; Midwestern State  
 University; University of North Texas; University of North Texas  
Health Science Center at Fort Worth [~~Texas College of Osteopathic~~  
~~Medicine~~]; Stephen F. Austin State University; Texas Southern  
 University; Texas Tech University; Texas Tech University Health  
 Sciences Center; Texas Woman's University; West Texas State  
 University; Angelo State University; Sam Houston State University;  
 Southwest Texas State University; Sul Ross State University; Sul  
 Ross State University--Uvalde Center; Texas State Technical  
 Institute--Amarillo; Texas State Technical Institute--Harlingen;  
 Texas State Technical Institute--Sweetwater; and Texas State  
 Technical Institute--Waco;  
 (xxi) a member of the Texas Higher  
 Education Coordinating Board;  
 (xxii) a member of the Texas Employment  
 Commission;  
 (xxiii) a member of the State Banking  
 Board;  
 (xxiv) a member of the board of trustees  
 of the Teacher [Teachers] Retirement System of Texas;  
 (xxv) a member of the Credit Union  
 Commission;  
 (xxvi) a member of the School Land Board;  
 (xxvii) a member of the board of the Texas  
 Department of Housing and Community Affairs;  
 (xxviii) a member of the Texas Racing  
 Commission;  
 (xxix) a member of the State Board of  
 Dental Examiners;  
 (xxx) a member of the Texas Board of  
 Licensure for Nursing Home Administrators;  
 (xxxi) a member of the Texas State Board  
 of Medical Examiners;  
 (xxxii) a member of the Board of Pardons  
 and Paroles;  
 (xxxiii) a member of the Texas State Board  
 of Pharmacy;  
 (xxxiv) the Banking Commissioner of the  
 Banking Department of Texas;  
 (xxxv) a member of the Department of  
 Information Resources Governing Board;

(xxxvi) the fire fighters' pension  
 commissioner;  
 (xxxvii) a member of the Texas Motor  
 Vehicle Commission;  
 (xxxviii) the director of the Office of  
 Court Administration of the Texas Judicial System;  
 (xxxix) the chief executive of the Office  
 of Public Utility Counsel;  
 (xl) a member of the Texas Real Estate  
 Commission;  
 (xli) a member of the board of directors  
 and the executive director of the State Bar of Texas;  
 (xlii) a member of the Bond Review Board;  
 (xliii) a member of the Texas Board of  
 Health;  
 (xliv) a member of the Texas Board of  
 Mental Health and Mental Retardation;  
 (xlv) a member of the Texas Board on  
 Aging;  
 (xlvi) a member of the Texas Board of  
 Human Services;  
 (xlvii) a member of the Texas Funeral  
 Service Commission;  
 (xlviii) a member of the board of  
 directors of a river authority created under the constitution or  
 laws of this state;  
 (xlix) the director of the lottery  
 division in the office of the comptroller; or  
 (1) the deputy in charge of the department  
 of security in the lottery division in the office of the  
 comptroller.

SECTION 13. (a) The name of the Texas College of Osteopathic Medicine is changed to the University of North Texas Health Science Center at Fort Worth. A reference in law to the Texas College of Osteopathic Medicine means the University of North Texas Health Science Center at Fort Worth.

(b) An appropriation for the use and benefit of the Texas College of Osteopathic Medicine is available for the use and benefit of the University of North Texas Health Science Center at Fort Worth.

SECTION 14. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

\* \* \* \* \*

Austin, Texas  
March 31, 1993

Hon. Bob Bullock  
President of the Senate

Sir:

We, your Committee on Education to which was referred S.B. No. 346, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

Ratliff, Chairman

\* \* \* \* \*

WITNESSES

FOR      AGAINST      ON

5	Name: David Richards		x
6	Representing: Tx College of Osteopathic Med		
7	City: Fort Worth		
8	-----		
9	Name: Don Rives	x	
10	Representing: Univ of North Texas		
11	City: Austin		
12	-----		
13	Name: Alfred F. Hurley		x
14	Representing: Univ of North Texas		
15	City: Denton		
16	-----		
17	Name: Mike Ferguson, Jr.		x
18	Representing: TCOM		
19	City: Fort Worth		
20	-----		
21	Name: Greg McQueen		x
22	Representing: Tx College of Osteopathic Med		
23	City: Fort Worth		
24	-----		
25	Name: Terry Boucher	x	
26	Representing: Tx Osteopathic Med Assoc		
27	City: Fort Worth		
28	-----		
29	Name: Warren Anderson		x
30	Representing: Tx College of Osteopathic Med		
31	City: Fort Worth		
32	-----		

**FAVORABLY AS AMENDED  
SENATE COMMITTEE REPORT ON**

☒ SB    ☐ SCR    ☐ SJR    ☐ SR    ☐ HB    ☐ HCR    ☐ HJR    **346**  
 By Moncrief (Amended by Carins)  
(Author/Senate Sponsor)  
3/31/93  
(date)

We, your Committee on EDUCATION, to which was referred the attached measure,  
 have on March 31, 1993, had the same under consideration and I am instructed to report it  
(date of hearing)  
 back with the recommendation (s) that it:

- ☐ do pass with 1 amendments, and be printed  
☐ do pass with \_\_\_\_\_ amendments, and be ordered not printed  
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested.                      ☒ yes    ☐ no

A revised fiscal note was requested.                      ☒ yes    ☐ no

An actuarial analysis was requested.                      ☐ yes    ☒ no

Considered by subcommittee.                      ☐ yes    ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Ratliff, Chair	<input checked="" type="checkbox"/>			
Senator Haley, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Bivins	<input checked="" type="checkbox"/>			
Senator Harris, C.	<input checked="" type="checkbox"/>			
Senator Luna	<input checked="" type="checkbox"/>			
Senator Montford	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Senator Shapiro	<input checked="" type="checkbox"/>			
Senator Sibley	<input checked="" type="checkbox"/>			
Senator Turner	<input checked="" type="checkbox"/>			
Senator Zaffirini	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
<b>TOTAL VOTES</b>	<b>9</b>	<b>0</b>	<b>1</b>	<b>1</b>

**COMMITTEE ACTION**

S260 Considered in public hearing

S270 Testimony taken

*Patricia Buck*  
 COMMITTEE CLERK

*Ratliff*  
 CHAIRMAN

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

March 1, 1993

TO: Honorable Bill Ratliff, Chair  
Committee on Education  
Senate Chamber  
Austin, Texas

IN RE: Senate Bill No. 346  
By: Moncrief

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 346 (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: Texas Higher Education Coordinating Board  
LBB Staff: JO, JWH, EC,



COMMITTEE AMEND NO. 1

By: Bun

AMEND S.B. 346 AS FOLLOWS:

ON PAGE (2) LINE (4), FOLLOWING THE  
WORD "CERTIFICATES", ADD "BUT MAY NOT  
INCLUDE AN M.D. DEGREE."

eff 5/22/93

ADOPTED

APR 19 1993

*Henry King*  
Secretary of the Senate

Com. am. #1

3-31-93

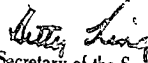
4-19-93 R2

5-22-93 4-19-93

AMEND THE CAPTION TO CONFORM  
TO THE BODY OF THE BILL

**ADOPTED**

APR 19 1993

  
Secretary of the Senate

---

April 19 1993 Engrossed

Patricia Spaw  
Engrossing Clerk  
1993 APR 21 PM 12:36

HOUSE OF REPRESENTATIVES

I certify that the attached is a true and correct  
copy of SB 346, which was  
received from the Senate on 4-19-93 and  
referred to the Committee on Higher Education

Bertie M. Murrey  
Chief Clerk of the House

By: Moncrief  
(Carter/Berlanga)

S.B. No. 346

A BILL TO BE ENTITLED

AN ACT

1 relating to changing the name of the Texas College of Osteopathic  
2 Medicine to the University of North Texas Health Science Center at  
3 Fort Worth and to the powers of the Board of Regents of the  
4 University of North Texas.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 105.71, Education Code, is amended to  
7 read as follows:

8 Sec. 105.71. ESTABLISHMENT OF UNIVERSITY OF NORTH TEXAS  
9 HEALTH SCIENCE CENTER AT FORT WORTH [~~COLLEGE--OF--OSTEOPATHIC~~  
10 ~~MEDICINE~~]. (a) There is hereby created a health science center  
11 [~~college--of--osteopathic-medicine~~] in the city of Fort Worth to be  
12 known as the University of North Texas Health Science Center at  
13 Fort Worth [~~Texas-College-of-Osteopathic-Medicine~~], which consists  
14 of a college of osteopathic medicine, and which is a separate  
15 institution and not a department, school, or branch of the  
16 University of North Texas, but under the direction, management, and  
17 control of the Board of Regents of the University of North Texas.

18 (b) The board shall have the same powers of direction,  
19 management, and control over the health science center [~~college--of~~  
20 ~~osteopathic--medicine~~] that it exercises over the University of  
21 North Texas, but the board shall act separately and independently  
22 on all matters affecting the health science center [~~college-of~~  
23 ~~osteopathic-medicine~~] as a separate institution.

1        (c) The board, with the approval of the Texas Higher  
2        Education Coordinating Board, may prescribe courses at the health  
3        science center leading to customary degrees, diplomas, or  
4        certificates, but may not include an M.D. degree.

5        SECTION 2. The heading to Subchapter E, Chapter 105,  
6        Education Code, is amended to read as follows:

7                SUBCHAPTER E. UNIVERSITY OF NORTH TEXAS HEALTH  
8                SCIENCE CENTER AT FORT WORTH [TEXAS-COLLEGE-OF  
9                                OSTEOPATHIC-MEDICINE]

10        SECTION 3. Section 105.74, Education Code, is amended to  
11        read as follows:

12        Sec. 105.74. CHIEF EXECUTIVE OFFICERS. The board of regents  
13        of the University of North Texas may appoint a chancellor who shall  
14        serve as chief executive officer of the University of North Texas  
15        and the University of North Texas Health Science Center at Fort  
16        Worth [Texas--College--of--Osteopathic--Medicine]. The board of  
17        regents shall appoint a president of the University of North Texas  
18        and a president of the University of North Texas Health Science  
19        Center at Fort Worth [Texas-College-of-Osteopathic-Medicine] who  
20        shall serve as chief operating officers of each institution,  
21        respectively. The president of the University of North Texas  
22        Health Science Center at Fort Worth [Texas-College--of--Osteopathic  
23        Medicine] shall be a licensed physician who possesses a doctor of  
24        osteopathy degree from an accredited college of osteopathic  
25        medicine [school] and licensed to practice medicine in some state

1 of the United States for a minimum of five years.

2 SECTION 4. Section 105.76, Education Code, is amended to  
3 read as follows:

4 Sec. 105.76. JOINT APPOINTMENTS. The board of regents is  
5 specifically authorized to make joint appointments in the  
6 university and the health science center [~~Texas--College--of~~  
7 ~~Osteopathic-Medicine~~] under its governance; the salary of any such  
8 person who receives such joint appointment to be apportioned to the  
9 appointing institution on the basis of services rendered.

10 SECTION 5. Subsection (b), Section 54.502, Education Code,  
11 is amended to read as follows:

12 (b) The medical, dental, and allied health units of The  
13 University of Texas System, the University of North Texas Health  
14 Science Center at Fort Worth [~~Texas--College--of---Osteopathic~~  
15 ~~Medicine~~], the Texas Tech University Health Sciences Center, and  
16 The Texas A&M University College of Medicine may collect a breakage  
17 or loss deposit no greater than \$30.

18 SECTION 6. Subsection (a), Section 58.001, Education Code,  
19 is amended to read as follows:

20 (a) The legislature finds that it will improve the quality  
21 of the delivery of medical care to the citizens of this state and,  
22 therefore, that it will be in the public interest of this state for  
23 the resident physicians being educated, trained, developed, and  
24 prepared for a career in medicine by the schools of medicine in The  
25 University of Texas System, the Texas Tech University Health

1 Sciences Center, the Texas A&M University Medical Program, and the  
 2 University of North Texas Health Science Center at Fort Worth  
 3 [~~Texas--College-of-Osteopathic-Medicine~~] to be compensated by those  
 4 schools while the resident physicians are undergoing education,  
 5 training, development, and preparation. The legislature further  
 6 finds that the delivery of quality medical care to the citizens of  
 7 this state has been and will continue to be enhanced by the  
 8 expansion of family practice residency programs as provided by  
 9 Sections 61.501 through 61.505 of this code and intends that  
 10 nothing in this chapter be interpreted or implemented in a manner  
 11 that will deter the development or expansion of family practice  
 12 residency programs or will deter the legislative goal of having at  
 13 least 25 percent of the first-year residency positions devoted to  
 14 family medicine.

15 SECTION 7. Subdivision (1), Section 59.01, Education Code,  
 16 is amended to read as follows:

17 (1) "Medical staff or students" means medical doctors,  
 18 doctors of osteopathy, dentists, veterinarians, and podiatrists  
 19 appointed to the faculty or professional medical staff employed for  
 20 student health services by The University of Texas System, The  
 21 Texas A&M University System, the Texas Tech University Health  
 22 Sciences Center [~~School-of-Medicine~~], or the University of North  
 23 Texas Health Science Center at Fort Worth [~~Texas--College-of~~  
 24 ~~Osteopathic-Medicine~~], either full time or who, although appointed  
 25 less than full time (including volunteers), either devote their

total professional service to such appointment or provide services to patients by assignment from the department chairman; and interns, residents, fellows, and medical or dental students, veterinary students, and students of osteopathy participating in a patient-care program in The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [School-of-Medicine], or the University of North Texas Health Science Center at Fort Worth [Texas-College-of-Osteopathic Medicine].

SECTION 8. Subsections (a) and (c), Section 59.02, Education Code, are amended to read as follows:

(a) Each board may establish a separate self-insurance fund to pay any damages adjudged in a court of competent jurisdiction or a settlement of any medical malpractice claim against a member of the medical staff or students arising from the exercise of his appointment, duties, or training with The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [School-of-Medicine], or the University of North Texas Health Science Center at Fort Worth [Texas--College--of Osteopathic-Medicine].

(c) On the establishment of each fund, transfers to the fund shall be made in an amount and at such intervals as determined by the board. Each board may receive and accept any gifts or donations specified for the purposes of this subchapter and deposit those gifts or donations into the fund. Each board may invest

1 money deposited in the fund, and any income received shall be  
 2 retained in the fund. The money shall be deposited in any of the  
 3 approved depository banks of The University of Texas System, The  
 4 Texas A&M University System, the Texas Tech University Health  
 5 Sciences Center [~~School-of-Medicine~~], or the University of North  
 6 Texas Health Science Center at Fort Worth [~~Texas--College-of~~  
 7 ~~Osteopathic-Medicine~~]. All expenditures from the funds shall be  
 8 paid pursuant to approval by the boards.

9 SECTION 9. Section 59.06, Education Code, is amended to read  
 10 as follows:

11 Sec. 59.06. LIMITATION ON APPROPRIATED FUNDS. Funds  
 12 appropriated by the legislature to either system, to the Texas Tech  
 13 University Health Sciences Center [~~School-of-Medicine~~], or to the  
 14 University of North Texas Health Science Center at Fort Worth  
 15 [~~Texas--College--of--Osteopathic-Medicine~~] from the General Revenue  
 16 Fund may not be used to establish or maintain the fund, to purchase  
 17 insurance, or to employ private legal counsel.

18 SECTION 10. Subdivision (1), Section 61.501, Education Code,  
 19 is amended to read as follows:

20 (1) "Medical school" means the medical school at The  
 21 University of Texas Health Science Center at Houston, the medical  
 22 school at The University of Texas Health Science Center at Dallas,  
 23 the medical school at The University of Texas Health Science Center  
 24 at San Antonio, The University of Texas Medical Branch at  
 25 Galveston, the Texas Tech University Health Sciences Center [~~School~~



of-Medicine], the Baylor College of Medicine, the college of osteopathic medicine at the University of North Texas Health Science Center at Fort Worth [~~Texas--College--of---Osteopathic Medicine~~], or the Texas A&M University Medical Program.

SECTION 11. Subsection (a), Section 62.021, Education Code, is amended to read as follows:

(a) Each fiscal year, an eligible institution is entitled to receive an amount allocated in accordance with this section from funds appropriated by Article VII, Section 17(a), of the Constitution of Texas. The comptroller of public accounts shall distribute funds allocated under this subsection only on presentation of a claim and issuance of a warrant in accordance with Section 403.071, Government Code. The comptroller may not issue a warrant from any funds allocated under this subsection before the delivery of goods or services described in Section 17, Article VII, Texas Constitution, except for the payment of principal or interest on bonds or notes. The allocation of funds under this subsection is made in accordance with an equitable formula consisting of the following elements: space deficit, facilities condition, institutional complexity, separate allocation for medical units, and additional allocation for compliance with the Texas Desegregation Plan. The amounts allocated by such formula are as follows:

\$ 2,971,685

East Texas State University including

East Texas State University at

1		Texarkana;
2	\$ 7,125,680	Lamar University including Lamar
3		University at Orange and Lamar
4		University at Port Arthur;
5	\$ 1,645,885	Midwestern State University;
6	\$11,444,067	University of North Texas;
7	\$ 3,196,287	Pan American University and The
8		University of Texas at Brownsville;
9	\$ 5,152,124	Stephen F. Austin State University;
10	\$ 2,166,667	<u>University of North Texas Health</u>
11		<u>Science Center at Fort Worth</u>
12		[ <del>Texas-College-of-Osteopathic</del>
13		<del>Medicine</del> ];
14	\$19,724,411	Texas State University System
15		Administration and the following
16		component institutions:
17		Angelo State University;
18		Sam Houston State University;
19		Southwest Texas State University;
20		Sul Ross State University including
21		Uvalde Study Center;
22	\$ 6,596,436	Texas Southern University (includes
23		allocation of \$2,700,000 for
24		compliance with Texas Desegregation
25		Plan);

1	\$10,538,296	Texas Tech University;
2	\$ 4,333,333	Texas Tech University Health Sciences
3		Center;
4	\$ 3,583,869	Texas Woman's University;
5	\$15,799,996	University of Houston System
6		Administration and the following
7		component institutions:
8		University of Houston;
9		University of Houston--Victoria;
10		University of Houston--Clear Lake;
11		University of Houston--Downtown;
12	\$ 3,636,316	University System of South Texas
13		System Administration and the
14		following component institutions:
15		Corpus Christi State University;
16		Laredo State University;
17		Texas A&I University; and
18	\$ 2,084,948	West Texas State University.

19       SECTION 12. Paragraph (A), Subdivision (5), Section 2,  
20 Chapter 421, Acts of the 63rd Legislature, Regular Session, 1973  
21 (Article 6252-9b, Vernon's Texas Civil Statutes), is amended to  
22 read as follows:

23               (A) "Appointed officer of a major state agency"  
24 means any of the following:

25                       (i) a member of the Public Utility

Commission of Texas;

(ii) a member of the Texas Department of

Commerce;

(iii) a member of the Texas Board of

Aviation;

(iv) a member of the Texas Air Control

Board;

(v) a member of the Texas Alcoholic

Beverage Commission;

(vi) a member of the Finance Commission of

Texas;

(vii) a member of the State Purchasing and

General Services Commission;

(viii) a member of the Texas Board of

Criminal Justice;

(ix) a member of the Board of Trustees of

the Employees Retirement System of Texas;

(x) a member of the State Highway and

Public Transportation Commission;

(xi) a member of the Texas Workers'

Compensation Commission;

(xii) a member of the State Board of

Insurance;

(xiii) a member of the Parks and Wildlife

Commission;

(xiv) a member of the Public Safety  
Commission;

(xv) the Secretary of State;

(xvi) a member of the State Securities  
Board;

(xvii) a member of the Texas Amusement  
Machine Commission;

(xviii) a member of the Texas Water  
Development Board;

(xix) a member of the Texas Water  
Commission;

(xx) a member of the governing board of a  
state senior college or university as defined by Section 61.003,  
Education Code, including The University of Texas at Arlington; The  
University of Texas at Austin; The University of Texas at Dallas;  
The University of Texas at El Paso; The University of Texas--Pan  
American; The University of Texas--Pan American--Brownsville; The  
University of Texas of the Permian Basin; The University of Texas  
at San Antonio; The University of Texas at Tyler; The University of  
Texas Southwestern Medical Center at Dallas; The University of  
Texas Medical Branch at Galveston; The University of Texas Health  
Science Center at Houston; The University of Texas Health Science  
Center at San Antonio; The University of Texas System Cancer  
Center; The University of Texas Health Science Center at Tyler;  
Texas A&M University; Texas A&M University at Galveston; Prairie

1 View A&M University; Tarleton State University; Corpus Christi  
2 State University; Texas A&I University; Laredo State University;  
3 East Texas State University; East Texas State University at  
4 Texarkana; University of Houston; University of Houston--Clear  
5 Lake; University of Houston--Downtown; University of  
6 Houston--Victoria; Lamar University at Beaumont; Lamar University  
7 at Orange; Lamar University at Port Arthur; Midwestern State  
8 University; University of North Texas; University of North Texas  
9 Health Science Center at Fort Worth [~~Texas-College--of--Osteopathic~~  
10 ~~Medicine~~]; Stephen F. Austin State University; Texas Southern  
11 University; Texas Tech University; Texas Tech University Health  
12 Sciences Center; Texas Woman's University; West Texas State  
13 University; Angelo State University; Sam Houston State University;  
14 Southwest Texas State University; Sul Ross State University; Sul  
15 Ross State University--Uvalde Center; Texas State Technical  
16 Institute--Amarillo; Texas State Technical Institute--Harlingen;  
17 Texas State Technical Institute--Sweetwater; and Texas State  
18 Technical Institute--Waco;

19 (xxi) a member of the Texas Higher  
20 Education Coordinating Board;

21 (xxii) a member of the Texas Employment  
22 Commission;

23 (xxiii) a member of the State Banking  
24 Board;

25 (xxiv) a member of the board of trustees

1 of the Teacher [~~Teachers~~] Retirement System of Texas;

2 (xxv) a member of the Credit Union  
3 Commission;

4 (xxvi) a member of the School Land Board;

5 (xxvii) a member of the board of the Texas  
6 Department of Housing and Community Affairs;

7 (xxviii) a member of the Texas Racing  
8 Commission;

9 (xxix) a member of the State Board of  
10 Dental Examiners;

11 (xxx) a member of the Texas Board of  
12 Licensure for Nursing Home Administrators;

13 (xxxi) a member of the Texas State Board  
14 of Medical Examiners;

15 (xxxii) a member of the Board of Pardons  
16 and Paroles;

17 (xxxiii) a member of the Texas State Board  
18 of Pharmacy;

19 (xxxiv) the Banking Commissioner of the  
20 Banking Department of Texas;

21 (xxxv) a member of the Department of  
22 Information Resources Governing Board;

23 (xxxvi) the fire fighters' pension  
24 commissioner;

25 (xxxvii) a member of the Texas Motor

1 Vehicle Commission;

2 (xxxviii) the director of the Office of  
3 Court Administration of the Texas Judicial System;

4 (xxxix) the chief executive of the Office  
5 of Public Utility Counsel;

6 (xl) a member of the Texas Real Estate  
7 Commission;

8 (xli) a member of the board of directors  
9 and the executive director of the State Bar of Texas;

10 (xlii) a member of the Bond Review Board;

11 (xlili) a member of the Texas Board of  
12 Health;

13 (xliv) a member of the Texas Board of  
14 Mental Health and Mental Retardation;

15 (xlv) a member of the Texas Board on  
16 Aging;

17 (xlvi) a member of the Texas Board of  
18 Human Services;

19 (xlvii) a member of the Texas Funeral  
20 Service Commission;

21 (xlviii) a member of the board of  
22 directors of a river authority created under the constitution or  
23 laws of this state;

24 (xlix) the director of the lottery  
25 division in the office of the comptroller; or



1                   (1) the deputy in charge of the department  
2 of security in the lottery division in the office of the  
3 comptroller.

4           SECTION 13. (a) The name of the Texas College of  
5 Osteopathic Medicine is changed to the University of North Texas  
6 Health Science Center at Fort Worth. A reference in law to the  
7 Texas College of Osteopathic Medicine means the University of North  
8 Texas Health Science Center at Fort Worth.

9           (b) An appropriation for the use and benefit of the Texas  
10 College of Osteopathic Medicine is available for the use and  
11 benefit of the University of North Texas Health Science Center at  
12 Fort Worth.

13          SECTION 14. The importance of this legislation and the  
14 crowded condition of the calendars in both houses create an  
15 emergency and an imperative public necessity that the  
16 constitutional rule requiring bills to be read on three several  
17 days in each house be suspended, and this rule is hereby suspended,  
18 and that this Act take effect and be in force from and after its  
19 passage, and it is so enacted.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

April 1, 1993

TO: Honorable Bill Ratliff, Chair  
Committee on Education  
Senate Chamber  
Austin, Texas

IN RE: Senate Bill No. 346,  
as amended  
By: Moncrief

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 346, as amended (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: LBB Staff: JO, JWH, EC

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE**

**73rd Regular Session**

**March 1, 1993**

**TO: Honorable Bill Ratliff, Chair  
Committee on Education  
Senate Chamber  
Austin, Texas**

**IN RE: Senate Bill No. 346  
By: Moncrief**

**FROM: Jim Oliver, Director**

In response to your request for a Fiscal Note on Senate Bill No. 346 (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

**Source: Texas Higher Education Coordinating Board  
LBB Staff: JO, JWH, EC,**

# HOUSE COMMITTEE REPORT

1<sup>st</sup> Printing

93 APR 30 PM 5:24

HOUSE OF REPRESENTATIVES

By: Moncrief  
(Carter/Berlanga)

S.B. No. 346

A BILL TO BE ENTITLED

AN ACT

1 relating to changing the name of the Texas College of Osteopathic  
2 Medicine to the University of North Texas Health Science Center at  
3 Fort Worth and to the powers of the Board of Regents of the  
4 University of North Texas.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 105.71, Education Code, is amended to  
7 read as follows:

8 Sec. 105.71. ESTABLISHMENT OF UNIVERSITY OF NORTH TEXAS  
9 HEALTH SCIENCE CENTER AT FORT WORTH [~~COLLEGE--OF--OSTEOPATHIC~~  
10 ~~MEDICINE~~]. (a) There is hereby created a health science center  
11 [~~college--of--osteopathic-medicine~~] in the city of Fort Worth to be  
12 known as the University of North Texas Health Science Center at  
13 Fort Worth [~~Texas-College-of-Osteopathic-Medicine~~], which consists  
14 of a college of osteopathic medicine, and which is a separate  
15 institution and not a department, school, or branch of the  
16 University of North Texas, but under the direction, management, and  
17 control of the Board of Regents of the University of North Texas.

18 (b) The board shall have the same powers of direction,  
19 management, and control over the health science center [~~college--of~~  
20 ~~osteopathic--medicine~~] that it exercises over the University of  
21 North Texas, but the board shall act separately and independently  
22 on all matters affecting the health science center [~~college-of~~  
23 ~~osteopathic-medicine~~] as a separate institution.

(c) The board, with the approval of the Texas Higher Education Coordinating Board, may prescribe courses at the health science center leading to customary degrees, diplomas, or certificates, but may not include an M.D. degree.

SECTION 2. The heading to Subchapter E, Chapter 105, Education Code, is amended to read as follows:

SUBCHAPTER E. UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH [TEXAS-COLLEGE-OF-OSTEOPATHIC-MEDICINE]

SECTION 3. Section 105.74, Education Code, is amended to read as follows:

Sec. 105.74. CHIEF EXECUTIVE OFFICERS. The board of regents of the University of North Texas may appoint a chancellor who shall serve as chief executive officer of the University of North Texas and the University of North Texas Health Science Center at Fort Worth [Texas--College--of--Osteopathic--Medicine]. The board of regents shall appoint a president of the University of North Texas and a president of the University of North Texas Health Science Center at Fort Worth [Texas-College-of-Osteopathic-Medicine] who shall serve as chief operating officers of each institution, respectively. The president of the University of North Texas Health Science Center at Fort Worth [Texas-College--of--Osteopathic Medicine] shall be a licensed physician who possesses a doctor of osteopathy degree from an accredited college of osteopathic medicine [school] and licensed to practice medicine in some state

1 of the United States for a minimum of five years.

2 SECTION 4. Section 105.76, Education Code, is amended to  
3 read as follows:

4 Sec. 105.76. JOINT APPOINTMENTS. The board of regents is  
5 specifically authorized to make joint appointments in the  
6 university and the health science center [~~Texas--College--of~~  
7 ~~Osteopathic-Medicine~~] under its governance; the salary of any such  
8 person who receives such joint appointment to be apportioned to the  
9 appointing institution on the basis of services rendered.

10 SECTION 5. Subsection (b), Section 54.502, Education Code,  
11 is amended to read as follows:

12 (b) The medical, dental, and allied health units of The  
13 University of Texas System, the University of North Texas Health  
14 Science Center at Fort Worth [~~Texas--College--of---Osteopathic~~  
15 ~~Medicine~~], the Texas Tech University Health Sciences Center, and  
16 The Texas A&M University College of Medicine may collect a breakage  
17 or loss deposit no greater than \$30.

18 SECTION 6. Subsection (a), Section 58.001, Education Code,  
19 is amended to read as follows:

20 (a) The legislature finds that it will improve the quality  
21 of the delivery of medical care to the citizens of this state and,  
22 therefore, that it will be in the public interest of this state for  
23 the resident physicians being educated, trained, developed, and  
24 prepared for a career in medicine by the schools of medicine in The  
25 University of Texas System, the Texas Tech University Health

Sciences Center, the Texas A&M University Medical Program, and the University of North Texas Health Science Center at Fort Worth [~~Texas--College-of-Osteopathic-Medicine~~] to be compensated by those schools while the resident physicians are undergoing education, training, development, and preparation. The legislature further finds that the delivery of quality medical care to the citizens of this state has been and will continue to be enhanced by the expansion of family practice residency programs as provided by Sections 61.501 through 61.505 of this code and intends that nothing in this chapter be interpreted or implemented in a manner that will deter the development or expansion of family practice residency programs or will deter the legislative goal of having at least 25 percent of the first-year residency positions devoted to family medicine.

SECTION 7. Subdivision (1), Section 59.01, Education Code, is amended to read as follows:

(1) "Medical staff or students" means medical doctors, doctors of osteopathy, dentists, veterinarians, and podiatrists appointed to the faculty or professional medical staff employed for student health services by The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or the University of North Texas Health Science Center at Fort Worth [~~Texas--College-of-Osteopathic-Medicine~~], either full time or who, although appointed less than full time (including volunteers), either devote their

total professional service to such appointment or provide services to patients by assignment from the department chairman; and interns, residents, fellows, and medical or dental students, veterinary students, and students of osteopathy participating in a patient-care program in The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or the University of North Texas Health Science Center at Fort Worth [~~Texas-College-of-Osteopathic Medicine~~].

SECTION 8. Subsections (a) and (c), Section 59.02, Education Code, are amended to read as follows:

(a) Each board may establish a separate self-insurance fund to pay any damages adjudged in a court of competent jurisdiction or a settlement of any medical malpractice claim against a member of the medical staff or students arising from the exercise of his appointment, duties, or training with The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or the University of North Texas Health Science Center at Fort Worth [~~Texas--College--of Osteopathic-Medicine~~].

(c) On the establishment of each fund, transfers to the fund shall be made in an amount and at such intervals as determined by the board. Each board may receive and accept any gifts or donations specified for the purposes of this subchapter and deposit those gifts or donations into the fund. Each board may invest



money deposited in the fund, and any income received shall be retained in the fund. The money shall be deposited in any of the approved depository banks of The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or the University of North Texas Health Science Center at Fort Worth [~~Texas--College-of Osteopathic-Medicine~~]. All expenditures from the funds shall be paid pursuant to approval by the boards.

SECTION 9. Section 59.06, Education Code, is amended to read as follows:

Sec. 59.06. LIMITATION ON APPROPRIATED FUNDS. Funds appropriated by the legislature to either system, to the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or to the University of North Texas Health Science Center at Fort Worth [~~Texas--College--of--Osteopathic-Medicine~~] from the General Revenue Fund may not be used to establish or maintain the fund, to purchase insurance, or to employ private legal counsel.

SECTION 10. Subdivision (1), Section 61.501, Education Code, is amended to read as follows:

(1) "Medical school" means the medical school at The University of Texas Health Science Center at Houston, the medical school at The University of Texas Health Science Center at Dallas, the medical school at The University of Texas Health Science Center at San Antonio, The University of Texas Medical Branch at Galveston, the Texas Tech University Health Sciences Center [~~School~~

of-Medicine], the Baylor College of Medicine, the college of osteopathic medicine at the University of North Texas Health Science Center at Fort Worth [~~Texas--College--of---Osteopathic Medicine~~], or the Texas A&M University Medical Program.

SECTION 11. Subsection (a), Section 62.021, Education Code, is amended to read as follows:

(a) Each fiscal year, an eligible institution is entitled to receive an amount allocated in accordance with this section from funds appropriated by Article VII, Section 17(a), of the Constitution of Texas. The comptroller of public accounts shall distribute funds allocated under this subsection only on presentation of a claim and issuance of a warrant in accordance with Section 403.071, Government Code. The comptroller may not issue a warrant from any funds allocated under this subsection before the delivery of goods or services described in Section 17, Article VII, Texas Constitution, except for the payment of principal or interest on bonds or notes. The allocation of funds under this subsection is made in accordance with an equitable formula consisting of the following elements: space deficit, facilities condition, institutional complexity, separate allocation for medical units, and additional allocation for compliance with the Texas Desegregation Plan. The amounts allocated by such formula are as follows:

\$ 2,971,685

East Texas State University including

East Texas State University at

1		Texarkana;
2	\$ 7,125,680	Lamar University including Lamar
3		University at Orange and Lamar
4		University at Port Arthur;
5	\$ 1,645,885	Midwestern State University;
6	\$11,444,067	University of North Texas;
7	\$ 3,196,287	Pan American University and The
8		University of Texas at Brownsville;
9	\$ 5,152,124	Stephen F. Austin State University;
10	\$ 2,166,667	<u>University of North Texas Health</u>
11		<u>Science Center at Fort Worth</u>
12		[ <del>Texas-College-of-Osteopathic</del>
13		<del>Medicine</del> ];
14	\$19,724,411	Texas State University System
15		Administration and the following
16		component institutions:
17		Angelo State University;
18		Sam Houston State University;
19		Southwest Texas State University;
20		Sul Ross State University including
21		Uvalde Study Center;
22	\$ 6,596,436	Texas Southern University (includes
23		allocation of \$2,700,000 for
24		compliance with Texas Desegregation
25		Plan);

1	\$10,538,296	Texas Tech University;
2	\$ 4,333,333	Texas Tech University Health Sciences
3		Center;
4	\$ 3,583,869	Texas Woman's University;
5	\$15,799,996	University of Houston System
6		Administration and the following
7		component institutions:
8		University of Houston;
9		University of Houston--Victoria;
10		University of Houston--Clear Lake;
11		University of Houston--Downtown;
12	\$ 3,636,316	University System of South Texas
13		System Administration and the
14		following component institutions:
15		Corpus Christi State University;
16		Laredo State University;
17		Texas A&I University; and
18	\$ 2,084,948	West Texas State University.

19       SECTION 12. Paragraph (A), Subdivision (5), Section 2,  
20 Chapter 421, Acts of the 63rd Legislature, Regular Session, 1973  
21 (Article 6252-9b, Vernon's Texas Civil Statutes), is amended to  
22 read as follows:

23               (A) "Appointed officer of a major state agency"  
24 means any of the following:

25                       (i) a member of the Public Utility

Commission of Texas;

(ii) a member of the Texas Department of  
Commerce;

(iii) a member of the Texas Board of  
Aviation;

(iv) a member of the Texas Air Control  
Board;

(v) a member of the Texas Alcoholic  
Beverage Commission;

(vi) a member of the Finance Commission of  
Texas;

(vii) a member of the State Purchasing and  
General Services Commission;

(viii) a member of the Texas Board of  
Criminal Justice;

(ix) a member of the Board of Trustees of  
the Employees Retirement System of Texas;

(x) a member of the State Highway and  
Public Transportation Commission;

(xi) a member of the Texas Workers'  
Compensation Commission;

(xii) a member of the State Board of  
Insurance;

(xiii) a member of the Parks and Wildlife  
Commission;

(xiv) a member of the Public Safety  
Commission;

(xv) the Secretary of State;

(xvi) a member of the State Securities  
Board;

(xvii) a member of the Texas Amusement  
Machine Commission;

(xviii) a member of the Texas Water  
Development Board;

(xix) a member of the Texas Water  
Commission;

(xx) a member of the governing board of a  
state senior college or university as defined by Section 61.003,  
Education Code, including The University of Texas at Arlington; The  
University of Texas at Austin; The University of Texas at Dallas;  
The University of Texas at El Paso; The University of Texas--Pan  
American; The University of Texas--Pan American--Brownsville; The  
University of Texas of the Permian Basin; The University of Texas  
at San Antonio; The University of Texas at Tyler; The University of  
Texas Southwestern Medical Center at Dallas; The University of  
Texas Medical Branch at Galveston; The University of Texas Health  
Science Center at Houston; The University of Texas Health Science  
Center at San Antonio; The University of Texas System Cancer  
Center; The University of Texas Health Science Center at Tyler;  
Texas A&M University; Texas A&M University at Galveston; Prairie

View A&M University; Tarleton State University; Corpus Christi State University; Texas A&I University; Laredo State University; East Texas State University; East Texas State University at Texarkana; University of Houston; University of Houston--Clear Lake; University of Houston--Downtown; University of Houston--Victoria; Lamar University at Beaumont; Lamar University at Orange; Lamar University at Port Arthur; Midwestern State University; University of North Texas; University of North Texas Health Science Center at Fort Worth [~~Texas-College--of--Osteopathic Medicine~~]; Stephen F. Austin State University; Texas Southern University; Texas Tech University; Texas Tech University Health Sciences Center; Texas Woman's University; West Texas State University; Angelo State University; Sam Houston State University; Southwest Texas State University; Sul Ross State University; Sul Ross State University--Uvalde Center; Texas State Technical Institute--Amarillo; Texas State Technical Institute--Harlingen; Texas State Technical Institute--Sweetwater; and Texas State Technical Institute--Waco;

(xxi) a member of the Texas Higher Education Coordinating Board;

(xxii) a member of the Texas Employment Commission;

(xxiii) a member of the State Banking Board;

(xxiv) a member of the board of trustees

1 of the Teacher [~~Teachers~~] Retirement System of Texas;

2 (xxv) a member of the Credit Union  
3 Commission;

4 (xxvi) a member of the School Land Board;

5 (xxvii) a member of the board of the Texas  
6 Department of Housing and Community Affairs;

7 (xxviii) a member of the Texas Racing  
8 Commission;

9 (xxix) a member of the State Board of  
10 Dental Examiners;

11 (xxx) a member of the Texas Board of  
12 Licensure for Nursing Home Administrators;

13 (xxxi) a member of the Texas State Board  
14 of Medical Examiners;

15 (xxxii) a member of the Board of Pardons  
16 and Paroles;

17 (xxxiii) a member of the Texas State Board  
18 of Pharmacy;

19 (xxxiv) the Banking Commissioner of the  
20 Banking Department of Texas;

21 (xxxv) a member of the Department of  
22 Information Resources Governing Board;

23 (xxxvi) the fire fighters' pension  
24 commissioner;

25 (xxxvii) a member of the Texas Motor



Vehicle Commission;

(xxxviii) the director of the Office of Court Administration of the Texas Judicial System;

(xxxix) the chief executive of the Office of Public Utility Counsel;

(xl) a member of the Texas Real Estate Commission;

(xli) a member of the board of directors and the executive director of the State Bar of Texas;

(xlii) a member of the Bond Review Board;

(xliii) a member of the Texas Board of Health;

(xliv) a member of the Texas Board of Mental Health and Mental Retardation;

(xlv) a member of the Texas Board on Aging;

(xlvi) a member of the Texas Board of Human Services;

(xlvii) a member of the Texas Funeral Service Commission;

(xlvihi) a member of the board of directors of a river authority created under the constitution or laws of this state;

(xlix) the director of the lottery division in the office of the comptroller; or

1                   (1) the deputy in charge of the department  
2 of security in the lottery division in the office of the  
3 comptroller.

4           SECTION 13. (a) The name of the Texas College of  
5 Osteopathic Medicine is changed to the University of North Texas  
6 Health Science Center at Fort Worth. A reference in law to the  
7 Texas College of Osteopathic Medicine means the University of North  
8 Texas Health Science Center at Fort Worth.

9           (b) An appropriation for the use and benefit of the Texas  
10 College of Osteopathic Medicine is available for the use and  
11 benefit of the University of North Texas Health Science Center at  
12 Fort Worth.

13          SECTION 14. The importance of this legislation and the  
14 crowded condition of the calendars in both houses create an  
15 emergency and an imperative public necessity that the  
16 constitutional rule requiring bills to be read on three several  
17 days in each house be suspended, and this rule is hereby suspended,  
18 and that this Act take effect and be in force from and after its  
19 passage, and it is so enacted.

COMMITTEE REPORT

The Honorable Pete Laney  
Speaker of the House of Representatives

4/28/93  
(date)

Sir:

We, your COMMITTEE ON HIGHER EDUCATION  
to whom was referred SB 346 have had the same under consideration and beg to report  
(measure)

back with the recommendation that it

(X) do pass, without amendment.  
( ) do pass, with amendment(s).  
( ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (X) yes ( ) no An author's fiscal statement was requested. ( ) yes (X) no

A criminal justice policy impact statement was requested. ( ) yes (X) no

An equalized educational funding impact statement was requested. ( ) yes (X) no

An actuarial impact statement was requested. ( ) yes (X) no

A water development policy impact statement was requested. ( ) yes (X) no

( ) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

House Sponsor of Senate Measure Carter & Berlanga

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Smith, A., Ch.	X			
Rangel, V.C.	X			
Blackwood				X
Delco	X			
Duncan	X			
Earley	X			
Goolsby				X
Hunter, B.	X			
Jones, J.	X			
Moffat	X			
Moreno	X			

Total

9	aye
0	nay
0	present, not voting
2	absent

Billy H  
CHAIRMAN

## BILL ANALYSIS

S.B. 346  
By: Moncrief

### BACKGROUND

The Texas College of Osteopathic Medicine conforms to the definition of a health science center established by the Association of Academic Health Centers. Changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth would help the school attract more students to its basic sciences programs and assist in gaining federal grant money.

### PURPOSE

As proposed, S.B. 346 changes the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth.

### RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 105.71, Education Code, as follows:

Sec. 105.71. New title: ESTABLISHMENT OF UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH. (a) Provides that a health science center is created, rather than a college of osteopathic medicine, in the city of Fort Worth to be known as the University of North Texas Health Science Center at Fort Worth, rather than the Texas College of Osteopathic Medicine, which consists of a college of osteopathic medicine.

(b) Makes conforming changes.

(c) Authorizes the Board of Regents of the University of North Texas, with the approval of the Texas Higher Education Coordinating Board, to prescribe courses at the health science center leading to customary degrees, diplomas, or certificates, but may not include an M.D. degree.

SECTION 2. Amends the heading to Chapter 105E, Education Code, as follows:

SUBCHAPTER E. UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER  
AT FORT WORTH

SECTION 3. Amends Section 105.74, Education Code, to make conforming changes.

SECTION 4. Amends Section 105.76, Education Code, to make a conforming change.

SECTION 5. Amends Section 54.502(b), Education Code, to make a conforming change.

SECTION 6. Amends Section 58.001(a), Education Code, to make a conforming change.

SECTION 7. Amends Section 59.01(1), Education Code, to make conforming changes.

SECTION 8. Amends Subsections (a) and (c), Section 59.02, Education Code, to make

conforming changes.

SECTION 9. Amends Section 59.06, Education Code, to make conforming changes.

SECTION 10. Amends Section 61.501(1), Education Code, to make conforming changes.

SECTION 11. Amends Section 62.021(a), Education Code, to make a conforming change.

SECTION 12. Amends Article 6252-9b, V.T.C.S., to make a conforming change.

SECTION 13. (a) Provides that the name of the Texas College of Osteopathic Medicine is changed to the University of North Texas Health Science Center at Fort Worth. Provides that a reference in law to the Texas College of Osteopathic Medicine means the University of North Texas Health Science Center at Fort Worth.

(b) Provides that an appropriation for the use and benefit of the Texas College of Osteopathic Medicine is available for the use and benefit of the University of North Texas Health Science Center at Fort Worth.

SECTION 14. Emergency clause.

Effective date: upon passage.

#### SUMMARY OF COMMITTEE ACTION

S.B. 346 was considered in a public hearing on April 28, 1993 in the Capitol Extension. According to Rule 4, Section 11, posting notice was not required since S.B. 346 is substantially the same as H.B. 1543 which was previously heard by the committee. There being no one to testify for, on or against the bill, S.B. 346 was reported favorably to the House on a motion by Representative Moffat.

The motion prevailed by the following vote:

AYE: Smith, Rangel, Delco, Duncan, Earley, Hunter, Jones, Moffat, Moreno (9)

NAY: None (0)

PNV: None (0)

ABSENT: Blackwood, Goolsby (2)

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

April 27, 1993

TO: Honorable Ashley Smith, Chair  
Committee on Higher Education  
House of Representatives  
Austin, Texas

IN RE: Senate Bill No. 346, as engrossed  
By: Moncrief

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 346, as engrossed (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth and to the powers of the Board of Regents of the University of North Texas) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: LBB Staff: JO, JWH, DF, OC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

April 1, 1993

TO: Honorable Bill Ratliff, Chair  
Committee on Education  
Senate Chamber  
Austin, Texas

IN RE: Senate Bill No. 346,  
as amended  
By: Moncrief

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 346, as amended (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: LBB Staff: JO, JWH, EC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

March 1, 1993

TO: Honorable Bill Ratliff, Chair  
Committee on Education  
Senate Chamber  
Austin, Texas

IN RE: Senate Bill No. 346  
By: Moncrief

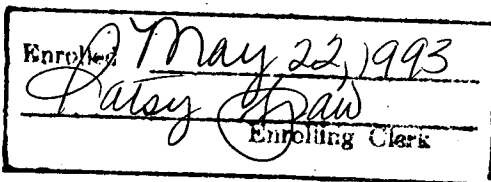
FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 346 (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: Texas Higher Education Coordinating Board  
LBB Staff: JO, JWH, EC,





S.B. No. 346

AN ACT

1 relating to changing the name of the Texas College of Osteopathic  
2 Medicine to the University of North Texas Health Science Center at  
3 Fort Worth and to the powers of the Board of Regents of the  
4 University of North Texas.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 105.71, Education Code, is amended to  
7 read as follows:

8 Sec. 105.71. ESTABLISHMENT OF UNIVERSITY OF NORTH TEXAS  
9 HEALTH SCIENCE CENTER AT FORT WORTH [~~COLLEGE--OF--OSTEOPATHIC~~  
10 ~~MEDICINE~~]. (a) There is hereby created a health science center  
11 [~~college--of--osteopathic-medicine~~] in the city of Fort Worth to be  
12 known as the University of North Texas Health Science Center at  
13 Fort Worth [~~Texas-College-of-Osteopathic-Medicine~~], which consists  
14 of a college of osteopathic medicine, and which is a separate  
15 institution and not a department, school, or branch of the  
16 University of North Texas, but under the direction, management, and  
17 control of the Board of Regents of the University of North Texas.

18 (b) The board shall have the same powers of direction,  
19 management, and control over the health science center [~~college--of~~  
20 ~~osteopathic--medicine~~] that it exercises over the University of  
21 North Texas, but the board shall act separately and independently  
22 on all matters affecting the health science center [~~college-of~~  
23 ~~osteopathic-medicine~~] as a separate institution.

(c) The board, with the approval of the Texas Higher Education Coordinating Board, may prescribe courses at the health science center leading to customary degrees, diplomas, or certificates, but may not include an M.D. degree.

SECTION 2. The heading to Subchapter E, Chapter 105, Education Code, is amended to read as follows:

SUBCHAPTER E. UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH [~~TEXAS-COLLEGE-OF~~  
~~OSTEOPATHIC-MEDICINE~~]

SECTION 3. Section 105.74, Education Code, is amended to read as follows:

Sec. 105.74. CHIEF EXECUTIVE OFFICERS. The board of regents of the University of North Texas may appoint a chancellor who shall serve as chief executive officer of the University of North Texas and the University of North Texas Health Science Center at Fort Worth [~~Texas--College--of--Osteopathic--Medicine~~]. The board of regents shall appoint a president of the University of North Texas and a president of the University of North Texas Health Science Center at Fort Worth [~~Texas-College-of-Osteopathic-Medicine~~] who shall serve as chief operating officers of each institution, respectively. The president of the University of North Texas Health Science Center at Fort Worth [~~Texas-College--of--Osteopathic Medicine~~] shall be a licensed physician who possesses a doctor of osteopathy degree from an accredited college of osteopathic medicine [~~school~~] and licensed to practice medicine in some state

1 of the United States for a minimum of five years.

2 SECTION 4. Section 105.76, Education Code, is amended to  
3 read as follows:

4 Sec. 105.76. JOINT APPOINTMENTS. The board of regents is  
5 specifically authorized to make joint appointments in the  
6 university and the health science center [~~Texas--College--of~~  
7 ~~Osteopathic-Medicine~~] under its governance; the salary of any such  
8 person who receives such joint appointment to be apportioned to the  
9 appointing institution on the basis of services rendered.

10 SECTION 5. Subsection (b), Section 54.502, Education Code,  
11 is amended to read as follows:

12 (b) The medical, dental, and allied health units of The  
13 University of Texas System, the University of North Texas Health  
14 Science Center at Fort Worth [~~Texas--College--of---Osteopathic~~  
15 ~~Medicine~~], the Texas Tech University Health Sciences Center, and  
16 The Texas A&M University College of Medicine may collect a breakage  
17 or loss deposit no greater than \$30.

18 SECTION 6. Subsection (a), Section 58.001, Education Code,  
19 is amended to read as follows:

20 (a) The legislature finds that it will improve the quality  
21 of the delivery of medical care to the citizens of this state and,  
22 therefore, that it will be in the public interest of this state for  
23 the resident physicians being educated, trained, developed, and  
24 prepared for a career in medicine by the schools of medicine in The  
25 University of Texas System, the Texas Tech University Health

Sciences Center, the Texas A&M University Medical Program, and the University of North Texas Health Science Center at Fort Worth [~~Texas--College-of-Osteopathic-Medicine~~] to be compensated by those schools while the resident physicians are undergoing education, training, development, and preparation. The legislature further finds that the delivery of quality medical care to the citizens of this state has been and will continue to be enhanced by the expansion of family practice residency programs as provided by Sections 61.501 through 61.505 of this code and intends that nothing in this chapter be interpreted or implemented in a manner that will deter the development or expansion of family practice residency programs or will deter the legislative goal of having at least 25 percent of the first-year residency positions devoted to family medicine.

SECTION 7. Subdivision (1), Section 59.01, Education Code, is amended to read as follows:

(1) "Medical staff or students" means medical doctors, doctors of osteopathy, dentists, veterinarians, and podiatrists appointed to the faculty or professional medical staff employed for student health services by The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or the University of North Texas Health Science Center at Fort Worth [~~Texas--College-of-Osteopathic-Medicine~~], either full time or who, although appointed less than full time (including volunteers), either devote their

total professional service to such appointment or provide services to patients by assignment from the department chairman; and interns, residents, fellows, and medical or dental students, veterinary students, and students of osteopathy participating in a patient-care program in The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [School-of-Medicine], or the University of North Texas Health Science Center at Fort Worth [Texas-College-of-Osteopathic Medicine].

SECTION 8. Subsections (a) and (c), Section 59.02, Education Code, are amended to read as follows:

(a) Each board may establish a separate self-insurance fund to pay any damages adjudged in a court of competent jurisdiction or a settlement of any medical malpractice claim against a member of the medical staff or students arising from the exercise of his appointment, duties, or training with The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [School-of-Medicine], or the University of North Texas Health Science Center at Fort Worth [Texas--College--of Osteopathic-Medicine].

(c) On the establishment of each fund, transfers to the fund shall be made in an amount and at such intervals as determined by the board. Each board may receive and accept any gifts or donations specified for the purposes of this subchapter and deposit those gifts or donations into the fund. Each board may invest

money deposited in the fund, and any income received shall be retained in the fund. The money shall be deposited in any of the approved depository banks of The University of Texas System, The Texas A&M University System, the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or the University of North Texas Health Science Center at Fort Worth [~~Texas--College-of Osteopathic-Medicine~~]. All expenditures from the funds shall be paid pursuant to approval by the boards.

SECTION 9. Section 59.06, Education Code, is amended to read as follows:

Sec. 59.06. LIMITATION ON APPROPRIATED FUNDS. Funds appropriated by the legislature to either system, to the Texas Tech University Health Sciences Center [~~School-of-Medicine~~], or to the University of North Texas Health Science Center at Fort Worth [~~Texas--College--of--Osteopathic-Medicine~~] from the General Revenue Fund may not be used to establish or maintain the fund, to purchase insurance, or to employ private legal counsel.

SECTION 10. Subdivision (1), Section 61.501, Education Code, is amended to read as follows:

(1) "Medical school" means the medical school at The University of Texas Health Science Center at Houston, the medical school at The University of Texas Health Science Center at Dallas, the medical school at The University of Texas Health Science Center at San Antonio, The University of Texas Medical Branch at Galveston, the Texas Tech University Health Sciences Center [~~School~~

1 of-Medicine], the Baylor College of Medicine, the college of  
2 osteopathic medicine at the University of North Texas Health  
3 Science Center at Fort Worth [~~Texas--College--of---Osteopathic~~  
4 ~~Medicine~~], or the Texas A&M University Medical Program.

5 SECTION 11. Subsection (a), Section 62.021, Education Code,  
6 is amended to read as follows:

7 (a) Each fiscal year, an eligible institution is entitled to  
8 receive an amount allocated in accordance with this section from  
9 funds appropriated by Article VII, Section 17(a), of the  
10 Constitution of Texas. The comptroller of public accounts shall  
11 distribute funds allocated under this subsection only on  
12 presentation of a claim and issuance of a warrant in accordance  
13 with Section 403.071, Government Code. The comptroller may not  
14 issue a warrant from any funds allocated under this subsection  
15 before the delivery of goods or services described in Section 17,  
16 Article VII, Texas Constitution, except for the payment of  
17 principal or interest on bonds or notes. The allocation of funds  
18 under this subsection is made in accordance with an equitable  
19 formula consisting of the following elements: space deficit,  
20 facilities condition, institutional complexity, separate allocation  
21 for medical units, and additional allocation for compliance with  
22 the Texas Desegregation Plan. The amounts allocated by such  
23 formula are as follows:

24 \$ 2,971,685	East Texas State University including
25	East Texas State University at

1		Texarkana;
2	\$ 7,125,680	Lamar University including Lamar
3		University at Orange and Lamar
4		University at Port Arthur;
5	\$ 1,645,885	Midwestern State University;
6	\$11,444,067	University of North Texas;
7	\$ 3,196,287	Pan American University and The
8		University of Texas at Brownsville;
9	\$ 5,152,124	Stephen F. Austin State University;
10	\$ 2,166,667	<u>University of North Texas Health</u>
11		<u>Science Center at Fort Worth</u>
12		[Texas-College-of-Osteopathic
13		Medicine];
14	\$19,724,411	Texas State University System
15		Administration and the following
16		component institutions:
17		Angelo State University;
18		Sam Houston State University;
19		Southwest Texas State University;
20		Sul Ross State University including
21		Uvalde Study Center;
22	\$ 6,596,436	Texas Southern University (includes
23		allocation of \$2,700,000 for
24		compliance with Texas Desegregation
25		Plan);



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1	\$10,538,296	Texas Tech University;
2	\$ 4,333,333	Texas Tech University Health Sciences
3		Center;
4	\$ 3,583,869	Texas Woman's University;
5	\$15,799,996	University of Houston System
6		Administration and the following
7		component institutions:
8		University of Houston;
9		University of Houston--Victoria;
10		University of Houston--Clear Lake;
11		University of Houston--Downtown;
12	\$ 3,636,316	University System of South Texas
13		System Administration and the
14		following component institutions:
15		Corpus Christi State University;
16		Laredo State University;
17		Texas A&I University; and
18	\$ 2,084,948	West Texas State University.

19           SECTION 12. Paragraph (A), Subdivision (5), Section 2,  
20 Chapter 421, Acts of the 63rd Legislature, Regular Session, 1973  
21 (Article 6252-9b, Vernon's Texas Civil Statutes), is amended to  
22 read as follows:

- 23                       (A) "Appointed officer of a major state agency"  
24 means any of the following:
- 25                               (i) a member of the Public Utility

S.B. No. 346

1 Commission of Texas;  
2 (ii) a member of the Texas Department of  
3 Commerce;  
4 (iii) a member of the Texas Board of  
5 Aviation;  
6 (iv) a member of the Texas Air Control  
7 Board;  
8 (v) a member of the Texas Alcoholic  
9 Beverage Commission;  
10 (vi) a member of the Finance Commission of  
11 Texas;  
12 (vii) a member of the State Purchasing and  
13 General Services Commission;  
14 (viii) a member of the Texas Board of  
15 Criminal Justice;  
16 (ix) a member of the Board of Trustees of  
17 the Employees Retirement System of Texas;  
18 (x) a member of the State Highway and  
19 Public Transportation Commission;  
20 (xi) a member of the Texas Workers'  
21 Compensation Commission;  
22 (xii) a member of the State Board of  
23 Insurance;  
24 (xiii) a member of the Parks and Wildlife  
25 Commission;

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(xiv) a member of the Public Safety  
Commission;

(xv) the Secretary of State;

(xvi) a member of the State Securities  
Board;

(xvii) a member of the Texas Amusement  
Machine Commission;

(xviii) a member of the Texas Water  
Development Board;

(xix) a member of the Texas Water  
Commission;

(xx) a member of the governing board of a  
state senior college or university as defined by Section 61.003,  
Education Code, including The University of Texas at Arlington; The  
University of Texas at Austin; The University of Texas at Dallas;  
The University of Texas at El Paso; The University of Texas--Pan  
American; The University of Texas--Pan American--Brownsville; The  
University of Texas of the Permian Basin; The University of Texas  
at San Antonio; The University of Texas at Tyler; The University of  
Texas Southwestern Medical Center at Dallas; The University of  
Texas Medical Branch at Galveston; The University of Texas Health  
Science Center at Houston; The University of Texas Health Science  
Center at San Antonio; The University of Texas System Cancer  
Center; The University of Texas Health Science Center at Tyler;  
Texas A&M University; Texas A&M University at Galveston; Prairie

S.B. No. 346

1 View A&M University; Tarleton State University; Corpus Christi  
2 State University; Texas A&I University; Laredo State University;  
3 East Texas State University; East Texas State University at  
4 Texarkana; University of Houston; University of Houston--Clear  
5 Lake; University of Houston--Downtown; University of  
6 Houston--Victoria; Lamar University at Beaumont; Lamar University  
7 at Orange; Lamar University at Port Arthur; Midwestern State  
8 University; University of North Texas; University of North Texas  
9 Health Science Center at Fort Worth [~~Texas-College--of--Osteopathic~~  
10 ~~Medicine~~]; Stephen F. Austin State University; Texas Southern  
11 University; Texas Tech University; Texas Tech University Health  
12 Sciences Center; Texas Woman's University; West Texas State  
13 University; Angelo State University; Sam Houston State University;  
14 Southwest Texas State University; Sul Ross State University; Sul  
15 Ross State University--Uvalde Center; Texas State Technical  
16 Institute--Amarillo; Texas State Technical Institute--Harlingen;  
17 Texas State Technical Institute--Sweetwater; and Texas State  
18 Technical Institute--Waco;

19 (xxi) a member of the Texas Higher  
20 Education Coordinating Board;

21 (xxii) a member of the Texas Employment  
22 Commission;

23 (xxiii) a member of the State Banking  
24 Board;

25 (xxiv) a member of the board of trustees

S.B. No. 346

1 of the Teacher [~~Teachers~~] Retirement System of Texas;  
2 (xxv) a member of the Credit Union  
3 Commission;  
4 (xxvi) a member of the School Land Board;  
5 (xxvii) a member of the board of the Texas  
6 Department of Housing and Community Affairs;  
7 (xxviii) a member of the Texas Racing  
8 Commission;  
9 (xxix) a member of the State Board of  
10 Dental Examiners;  
11 (xxx) a member of the Texas Board of  
12 Licensure for Nursing Home Administrators;  
13 (xxxi) a member of the Texas State Board  
14 of Medical Examiners;  
15 (xxxii) a member of the Board of Pardons  
16 and Paroles;  
17 (xxxiii) a member of the Texas State Board  
18 of Pharmacy;  
19 (xxxiv) the Banking Commissioner of the  
20 Banking Department of Texas;  
21 (xxxv) a member of the Department of  
22 Information Resources Governing Board;  
23 (xxxvi) the fire fighters' pension  
24 commissioner;  
25 (xxxvii) a member of the Texas Motor

S.B. No. 346

1 Vehicle Commission;

2 (xxxviii) the director of the Office of

3 Court Administration of the Texas Judicial System;

4 (xxxix) the chief executive of the Office

5 of Public Utility Counsel;

6 (xl) a member of the Texas Real Estate

7 Commission;

8 (xli) a member of the board of directors

9 and the executive director of the State Bar of Texas;

10 (xlii) a member of the Bond Review Board;

11 (xliii) a member of the Texas Board of

12 Health;

13 (xliv) a member of the Texas Board of

14 Mental Health and Mental Retardation;

15 (xlv) a member of the Texas Board on

16 Aging;

17 (xlvi) a member of the Texas Board of

18 Human Services;

19 (xlvii) a member of the Texas Funeral

20 Service Commission;

21 (xlviii) a member of the board of

22 directors of a river authority created under the constitution or

23 laws of this state;

24 (xlix) the director of the lottery

25 division in the office of the comptroller; or

S.B. No. 346

1                                   (1) the deputy in charge of the department  
2 of security in the lottery division in the office of the  
3 comptroller.

4           SECTION 13. (a) The name of the Texas College of  
5 Osteopathic Medicine is changed to the University of North Texas  
6 Health Science Center at Fort Worth. A reference in law to the  
7 Texas College of Osteopathic Medicine means the University of North  
8 Texas Health Science Center at Fort Worth.

9           (b) An appropriation for the use and benefit of the Texas  
10 College of Osteopathic Medicine is available for the use and  
11 benefit of the University of North Texas Health Science Center at  
12 Fort Worth.

13          SECTION 14. The importance of this legislation and the  
14 crowded condition of the calendars in both houses create an  
15 emergency and an imperative public necessity that the  
16 constitutional rule requiring bills to be read on three several  
17 days in each house be suspended, and this rule is hereby suspended,  
18 and that this Act take effect and be in force from and after its  
19 passage, and it is so enacted.

S.B. No. 346

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 346 passed the Senate on April 19, 1993, by the following vote: Yeas 29, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 346 passed the House on May 21, 1993, by a non-record vote.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

April 27, 1993

TO: Honorable Ashley Smith, Chair  
Committee on Higher Education  
House of Representatives  
Austin, Texas

IN RE: Senate Bill No. 346, as engrossed  
By: Moncrief

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 346, as engrossed (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth and to the powers of the Board of Regents of the University of North Texas) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: LBB Staff: JO, JWH, DF, OC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

April 1, 1993

TO: Honorable Bill Ratliff, Chair  
Committee on Education  
Senate Chamber  
Austin, Texas

IN RE: Senate Bill No. 346,  
as amended  
By: Moncrief

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 346, as amended (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: LBB Staff: JO, JWH, EC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE**  
**73rd Regular Session**

March 1, 1993

TO: Honorable Bill Ratliff, Chair  
Committee on Education  
Senate Chamber  
Austin, Texas

IN RE: Senate Bill No. 346  
By: Moncrief

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 346 (relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.

Source: Texas Higher Education Coordinating Board  
LBB Staff: JO, JWH, EC,

see the el

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 346 passed the Senate on April 19, 1993, by the following vote: Yeas 29, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 346 passed the House on May 21, 1993, by the following vote: a non-record vote. Yeas 6, Nays 0.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

S.B. No.

346

By

*Moncrief*

A BILL TO BE ENTITLED

AN ACT: relating to changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth.

2-12-93

Filed with the Secretary of the Senate

FEB 15 1993

Read and referred to Committee on EDUCATION

3-31-93

Reported favorably as amended

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

APR 19 1993

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

\_\_\_\_ yeas, \_\_\_\_ nays

APR 19 1993

Read second time, amended, and ordered engrossed by:

unanimous consent  
a viva voce vote

\_\_\_\_ yeas, \_\_\_\_ nays

APR 19 1993

Caption ordered amended to conform to the body of the bill.

APR 19 1993

Senate and Constitutional 3 Day Rule suspended by a vote of 29 yeas, 0 nays.

APR 19 1993

Read third time, \_\_\_\_\_, and passed by:

A viva voce vote

29 yeas, 0 nays

*Betty King*

SECRETARY OF THE SENATE

OTHER ACTION:

April 19, 1993

Engrossed

April 19, 1993

Sent to House

Engrossing Clerk

*Patsy Graw*

APR 19 1993

Received from the Senate

APR 20 1993

Read first time and referred to Committee on

Higher Education

4-28-93

Reported favorably amended, sent to Printer at

2:20pm 4-30-93

APR 30 1993

Printed and Distributed

5:24pm

5-3-93

Sent to Committee on Calendars

2:18pm

MAY 19 1993

Read Second time (amended): passed to third reading (failed).

by (Non-Record Vote) Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays \_\_\_\_\_ present not voting.

Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays \_\_\_\_\_ present not voting.

MAY 21 1993

Read third time (amended): finally passed (failed) by a (Non-Record Vote) Record Vote of

\_\_\_\_\_ yeas, \_\_\_\_\_ nays \_\_\_\_\_ present not voting.

Caption ordered amended to conform to body of bill.

MAY 22 1993

Returned to Senate.

*Betty Messing*

CHIEF CLERK OF THE HOUSE

MAY 22 1993

Returned from House without amendment.

Returned from House with \_\_\_\_\_ amendments.

Concurred in House amendments by a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

93 APR 30 PM 5:24

HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

Senate Research Center

S.B. 346  
By: Moncrief  
Education  
3-5-93  
As Filed

### BACKGROUND

The Texas College of Osteopathic Medicine conforms to the definition of a health science center established by the Association of Academic Health Centers. Changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth would help the school attract more students to its basic sciences programs and assist in gaining federal grant money.

### PURPOSE

As proposed, S.B. 346 changes the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth.

### RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 105.71, Education Code, as follows:

Sec. 105.71. New title: ESTABLISHMENT OF UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH. (a) Provides that a health science center is created, rather than a college of osteopathic medicine, in the city of Fort Worth to be known as the University of North Texas Health Science Center at Fort Worth, rather than the Texas College of Osteopathic Medicine, which consists of a college of osteopathic medicine.

(b) Makes conforming changes.

(c) Authorizes the Board of Regents of the University of North Texas, with the approval of the Texas Higher Education Coordinating Board, to prescribe courses at the health science center leading to customary degrees, diplomas, or certificates.

SECTION 2. Amends the heading to Chapter 105E, Education Code, as follows:

SUBCHAPTER E. UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER  
AT FORT WORTH

SECTION 3. Amends Section 105.74, Education Code, to make conforming changes.

SECTION 4. Amends Section 105.76, Education Code, to make a conforming change.

SECTION 5. Amends Section 54.502(b), Education Code, to make a conforming change.

SECTION 6. Amends Section 58.001(a), Education Code, to make a conforming change.

SECTION 7. Amends Section 59.01(1), Education Code, to make conforming changes.

SECTION 8. Amends Subsections (a) and (c), Section 59.02, Education Code, to make conforming changes.

SECTION 9. Amends Section 59.06, Education Code, to make conforming changes.

SECTION 10. Amends Section 61.501(1), Education Code, to make conforming changes.

SECTION 11. Amends Section 62.021(a), Education Code, to make a conforming change.

SECTION 12. Amends Article 6252-9b, V.T.C.S., to make a conforming change.

SECTION 13. (a) Provides that the name of the Texas College of Osteopathic Medicine is changed to the University of North Texas Health Science Center at Fort Worth. Provides that a reference in law to the Texas College of Osteopathic Medicine means the University of North Texas Health Science Center at Fort Worth.

(b) Provides that an appropriation for the use and benefit of the Texas College of Osteopathic Medicine is available for the use and benefit of the University of North Texas Health Science Center at Fort Worth.

SECTION 14. Emergency clause.  
Effective date: upon passage.



## BILL ANALYSIS

Senate Research Center

S.B. 346  
By: Moncrief  
Education  
4-5-93

As Amended in Committee

### BACKGROUND

The Texas College of Osteopathic Medicine conforms to the definition of a health science center established by the Association of Academic Health Centers. Changing the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth would help the school attract more students to its basic sciences programs and assist in gaining federal grant money.

### PURPOSE

As proposed, S.B. 346 changes the name of the Texas College of Osteopathic Medicine to the University of North Texas Health Science Center at Fort Worth.

### RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 105.71, Education Code, as follows:

Sec. 105.71. New title: ESTABLISHMENT OF UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH. (a) Provides that a health science center is created, rather than a college of osteopathic medicine, in the city of Fort Worth to be known as the University of North Texas Health Science Center at Fort Worth, rather than the Texas College of Osteopathic Medicine, which consists of a college of osteopathic medicine.

(b) Makes conforming changes.

(c) Authorizes the Board of Regents of the University of North Texas, with the approval of the Texas Higher Education Coordinating Board, to prescribe courses at the health science center leading to customary degrees, diplomas, or certificates, but may not include an M.D. degree.

SECTION 2. Amends the heading to Chapter 105E, Education Code, as follows:

SUBCHAPTER E. UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER  
AT FORT WORTH

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## BILL ANALYSIS

Senate Research Center

S.B. 346  
By: Moncrief  
Education  
6-3-93  
Enrolled

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